

**FILED**  
 UNITED STATES DISTRICT COURT  
 ALBUQUERQUE, NEW MEXICO

JUL 14 2020

## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS  
CLERK

UNITED STATES OF AMERICA,

)

Plaintiff,

)

vs.

)

**SANTIAGO RIVERA,**

)

Defendant.

)

- ) CRIMINAL NO. 20-1484 JP
- ) Count 1: 18 U.S.C. §§ 922(g)(1) and 924:
- ) Felon in Possession of a Firearm and
- ) Ammunition;
- ) Count 2: 21 U.S.C. §§ 841(a)(1) and
- ) (b)(1)(C): Possession with Intent to
- ) Distribute Heroin;
- ) Count 3: 18 U.S.C. § 924(c)(1)(A)(i):
- ) Possessing a Firearm in Furtherance of a
- ) Drug Trafficking Crime.

INDICTMENT

The Grand Jury charges:

Count 1

On or about June 10, 2020, in Rio Arriba County, in the District of New Mexico, the defendant, **SANTIAGO RIVERA**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) receiving or transferring stolen motor vehicles,
- (2) larceny (over \$20,000),
- (3) trafficking controlled substances (2 counts),
- (4) possession of a firearm or destructive device by a felon,
- (5) possession of a controlled substance,
- (6) larceny (over \$500 but not more than \$2,500), and
- (7) escape,

knowingly possessed firearms and ammunition in an affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924.

Count 2

On or about June 10, 2020, in Rio Arriba County, in the District of New Mexico, the defendant, **SANTIAGO RIVERA**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved a mixture and substance containing heroin.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 3

On or about June 10, 2020, in Rio Arriba County, in the District of New Mexico, the defendant, **SANTIAGO RIVERA**, knowingly possessed a firearm in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute heroin as charged in Count 2 of this indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

FORFEITURE ALLEGATION

Count 1 of this indictment is incorporated as part of this section of the indictment as if fully re-alleged herein for the purpose of alleging forfeiture to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

Upon conviction of an offense alleged in Count 1 of this indictment, the defendant, **SANTIAGO RIVERA**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any interest he may have in a:

- (1) Panther Arms rifle, .223 caliber, serial number FH149002,
- (2) Glock handgun, .40 caliber, serial number XNW480, and

(3) Smith & Wesson handgun, .40 caliber, serial number FX24030601.

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

Susan Harand  
Assistant United States Attorney

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